

## **REMARKS**

Claims 14-35 are pending in this application. The Applicant thanks the Examiner for the telephone interview on January 29, 2008. The Examiner has greatly assisted the Applicant in the preparation of the Response to the Office Action.

Each issue raised in the Final Office action mailed October 29, 2007 is addressed hereinafter.

### **1. CLAIMS REJECTION UNDER 35 U.S.C. §102(e)**

The Office Action rejected claims 14-16, 19, 21, 24-27, 30-32, and 35 under 35 U.S.C. §102(e) as being anticipated by Pajwani, PG PUB 2004/0148180 (hereinafter “*Pajwani*”). The rejection is respectfully traversed.

### **CLAIM 14**

Claim 14 appears as follows:

14. A method of providing search results from a search of candidate resumes, said method comprising the machine-implemented steps of:

- identifying a first passage in a job description that includes a first trigger phrase from a first set of predefined trigger phrases, wherein said first set of predefined trigger phrases is associated with a first type of criterion;
- extracting a first criterion from the first passage, wherein said first criterion is associated with the first type of criterion;
- identifying a second passage in the job description that includes a second trigger phrase from a second set of predefined trigger phrases, wherein said second set of predefined trigger phrases is associated with a second type of criterion;
- extracting a second criterion from the second passage, wherein said second criterion is associated with the second type of criterion;
- searching a candidate resume for said first and second criterions;
- if said first criterion is found in the candidate resume, then including said candidate resume in the search results; and
- if said first criterion is not found in the candidate resume, and the second criterion is found in the candidate resume, then omitting the candidate resume from the search results.

As discussed with the Examiner during the phone interview on January 29, 2008, *Pajwani* does not teach a number of limitations recited in Claim 14.

In particular, *Pajwani* does not teach or disclose “searching a candidate resume for said first and second criteria”.

*Pajwani* deals with a user who is seeking a job. *Pajwani*'s system reacts to a job seeker's job criteria input. The job seeker enters her/his specific job search criteria into a job database in an attempt to find a job position that meets her/his specific job criteria. (*Pajwani*: Fig. 7 and paragraphs [0058]-[0062]). *Pajwani*'s system matches the user's job criteria with available job positions, and provides the user with three categories of jobs. (*Pajwani*: Fig. 7 and paragraphs [0063]-[0067]) The first category contains the jobs for which the job seeker has the required skills. The second category contains the jobs for which the job seeker has some of the required skills but would have to also learn some additional skills. Finally, the third category contains the jobs which meet the seeker's goals, but which requires skills the job seeker does not currently have.

In contrast, Claim 14 recites a method that allows an employer to find a suitable candidate for a job description that the employer has submitted. In particular, Claim 14 recites searching a candidate resume. Further, Claim 14 recites that the searching a candidate resume is performed for a first criterion and a second criterion. *Pajwani* makes no mention of searching resumes.

Thus, Claim 14 is unambiguously distinguished over *Pajwani*.

Further, *Pajwani* does not teach “identifying a first passage in a job description that includes a first trigger phrase from a first set of predefined trigger phrases, wherein said first set of predefined trigger phrases is associated with a first type of criterion;

extracting a first criterion from the first passage, wherein said first criterion is associated with the first type of criterion;

identifying a second passage in the job description that includes a second trigger phrase from a second set of predefined trigger phrases, wherein said second set of predefined trigger phrases is associated with a second type of criterion;

extracting a second criterion from the second passage, wherein said second criterion is associated with the second type of criterion”.

As mentioned above, *Pajwani* relies on the job seeker’s specific job search criteria that the job seeker has entered. *Pajwani* makes no mention of identifying a first passage and a second passage in a job description as cited in Claim 14 nor does *Pajwani* mention extracting a first criterion from the first passage and extracting a second criterion from the second passage as cited in Claim 14. Therefore, *Pajwani* does not contemplate such features.

Thus, Claim 14 is unambiguously distinguished over *Pajwani*.

In a proper rejection under § 102(e) the cited reference must show each and every claimed feature in the same combination as arranged in the claim. See Lewmar Marine, Inc. v. Barient, Inc., 827 F.2d 744, 747-48, 3 USPQ2d 1766, 1768 (Fed. Cir. 1987). If even a single element or limitation is missing from the reference, anticipation is not found. Connell v. Sears, Roebuck & Co., 722 F.2d 1542, 1548, 220 USPQ 193, 198 (Fed. Cir. 1983).

*Pajwani* therefore does not teach every aspect of the claimed invention either explicitly or impliedly.

Claim 14 is allowable. Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. 102(e).

### **CLAIMS 15-16, 19, 21, 24-27, 30-32, and 35**

The claims 15-16, 19, 21, 24-27, 30-32, and 35 depend directly or indirectly upon Claim 14 that has been discussed. Therefore, those claims are patentable for the reasons given above. In addition, each of the dependent claims separately introduces features that independently render the claim patentable. However, due to the fundamental differences already identified, and to expedite positive resolution of the examination, separate arguments are not provided for each of the dependent claims at this time.

## 2. CLAIM REJECTIONS – 35 U.S.C. § 103(a)

### a. CLAIMS 17-18 and 28-29

The Office Action rejected Claims 17-18 and 28-29 under 35 U.S.C. § 103(a) as being unpatentable over *Pajwani* in view of Chapman (PGPUB 2005/0033698; hereafter *Chapman*).

The rejection under 35 U.S.C. §103(a) is deemed moot in view of Applicants' comments regarding Claim 14, above. Claims 17-18 and 28-29 depend directly or indirectly upon independent Claim 14. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

### b. CLAIM 20

The Office Action rejected claim 20 U.S.C. §103(a) as being anticipated over *Pajwani* in view of *Peikes* (USPN 7,096,420 (hereafter "*Peikes*")).

The rejection under 35 U.S.C. §103(a) is deemed moot in view of Applicants' comments regarding Claim 14, above. Claim 20 depends directly upon independent Claim 14. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

### c. CLAIMS 22 and 33

The Office Action rejected claims 22 and 33 under 35 U.S.C. §103(a) as being anticipated over *Pajwani* in view of *Cherry*, PGPUB 2002/0116203 (hereafter referenced as "*Cherry*"). The rejections are respectfully traversed.

The rejection under 35 U.S.C. §103(a) is deemed moot in view of Applicants' comments regarding Claim 14, above. Claims 22 and 33 depend indirectly upon independent Claim 14. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

### d. CLAIMS 23 and 34

The Office Action rejected claims 23 and 34 under 35 U.S.C. §103(a) as being anticipated over *Pajwani* in view *Peikes*, and in further view of "*Cherry*." The rejections are respectfully traversed.

The rejection under 35 U.S.C. §103(a) is deemed moot in view of Applicants' comments regarding Claim 14, above. Claims 23 and 34 depend indirectly upon independent Claim 14. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

### **CONCLUSION**

The Applicants believe that all issues raised in the Office Action have been addressed. Further, for the reasons set forth above, the Applicants respectfully submit that allowance of all pending claims is appropriate. Reconsideration of the present application is respectfully requested in light of the remarks herein.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

A petition for extension of time, to the extent necessary to make this reply timely filed, is hereby made. If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to charge any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,

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